GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Municipal Administration & Urban Development (CRDA) Department – Constituted a Technical Committee with Chief Engineers of Various Department to suggest way forward on the stalled works in Development of Amaravati Capital City – Final Report / Recommendations of the Technical Committee – Approved – Orders – Issued.

==========

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (CRDA) DEPARTMENT

G.O.Ms.No.123 **Dated : 27.11.2024**

Read the following:-

1. From the Commissioner, APCRDA, Vijayawada, Lr.No: MAU61-USI0HB(OTH)/60/2024-HB (C#2494017), Dt.13.07.2024.
2. G.O.Rt.No.541, MA&UD(CRDA) Dept., Dt.24.07.2024.
3. From the Engineer-in-Chief, Public Health & Chairman, Technical Committee, Lr.No.APCRDA /ADCL/Technical Committee/08, dt.17.09.2024.
4. Govt.Memo.No.2495583/CRDA/2024, Dt.10.10.2024.
5. Lr.Rc.No.MAU61-USIOHB(OTH)/60/2024-HB, dt.30.10.2024 of Engineer-in-Chief, Public Health and Chairman of Technical Committee.
6. From the Commissioner, APCRDA, Lr.No.MAU61-USI0HB(OTH)/60/2024-HBC(C#2494017), Dt.06.11.2024.

***

ORDER:-

In the reference 1st read above, the Commissioner, APCRDA has requested the Government to constitute a technical Committee of Chief Engineers of various departments in Government of Andhra Pradesh to suggest "way forward" on the stalled works in the development of Amaravati Capital City. Accordingly, vide G.O.2nd read above, the Government have constituted a Technical Committee comprising of the Chief Engineers of various departments in Government of Andhra Pradesh to suggest "way forward" on the stalled works in the development of Amaravati Capital City as per the Terms of Reference.

2. In the reference 3rd read above, the Engineer-in-Chief, Public Health & Chairman, Technical Committee has furnished the Technical Committee report. In this regard, Government vide reference 4th read above have communicated the Technical Committee report, dt.17.09.2024 to the Commissioner, APCRDA, Vijayawada and informed that, under Section 10(e)(viii) of the APCRDA Act, the Authority is empowered to address issues such as project delays and requested to consult the stake holders in regards to the recommendations made in the report and seek their views and objections if any, and the same can be examined by the Committee and with due examination, place the final recommendations before the Authority for consideration and final decision in the matter.

(PTO)

3. In the reference 6th read above, the Commissioner, APCRDA has stated that, they have convened a meeting with all the stakeholders and sought the views / objections if any. Further, communicated the minutes of the meeting and stakeholder's feedback to the Technical Committee and requested to review the representations and to submit the final recommendations promptly for further action. Subsequently, the Technical Committee have examined the views of the stakeholders and submitted its final Report/ Recommendations, Dt.30.10.2024 to the Commissioner, APCRDA vide reference 5th read above. The Commissioner, APCRDA has placed the final Report/ Recommendations of Technical Committee before the 39th APCRDA Authority meeting. The Authority vide resolution No.471/2024 have resolved, to place the Technical Committee's Final report / recommendation, dt.30.10.2024, before the Government for taking further action. Accordingly, the Commissioner, APCRDA has submitted the final Report / Recommendations of the Technical Committee, dated 30.10.2024 to the Government for taking necessary action. The final Report / Recommendations of the Technical Committee, dated 30.10.2024 are as indicated in the Annexure to this order.

4. Government, after careful examination and deliberations, hereby approved the Final Report/Recommendations of the Technical Committee, Dated.30.10.2024, comprising of the Chief Engineers from various departments of the Government of Andhra Pradesh, constituted vide G.O.Rt.No.541 MA&UD Department, dated 24.07.2024.

5. The Commissioner, APCRDA, Vijayawada shall take further necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. KANNA BABU
SECRETARY TO GOVERNMENT (FAC)

To
The Commissioner, A.P. Capital Region Development Authority, Vijayawada.

Copy to:

The PS to Secretary to Hon'ble Chief Minister.
The PS to Hon'ble Minister (MA&UD).
The PS to Chief Secretary to Government.
The PS to Secretary to Government, MA&UD Department.
The General Administration (Cabinet) Department.
The Finance Department.
The Law Department.
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER

Annexure to G.O.Ms.No.123, MA&UD (CRDA) Dept., Dated :27.11.2024

S.No	Issue	Final Report / Recommendations of the Technical Committee, Dt.30.10.2024	Clarification by Technical Committee
1	Release of pending payments including price escalation and Seigniorage charges.	All pending bills may be settled including price adjustments as per the agreement conditions and as approved by Competent Committee till 29-05-2019 (Sudden halting of works by Govt. vide UO Note No. FIN01-FMU0ASD(WRI)/80/2019 Comp No: 898809 dt.29-05-2019 of Chief Secretary to Government of AP)	-
2	Variation and deviation items executed but not covered by the agreement.	The Technical Committee examined and recommended to include all the deviations/variations executed, recorded/to be recorded and certified/to be certified as per agreement conditions and "D" code provisions subject to clearance of the work by the Quality Control Wing of APCRDA/ADCL duly taking the approval of Competent Committee.	The variations the items in BoQ based contractors and EPC contract shall be dealt differently. The recommendation of the TC in item#2 is with respect of BoQ based contracts and not EPC contracts. For BoQ Contracts, the Agreement Cl.45 and Sub clause 45.1 & 45.2 shall be complied with for variations & deviations of items.
3	To waiver of interest on outstanding Mobilization advance as on31-05-2019 till the date of settlement of the pending bills	The technical committee examined and recommended the same to Government for waiver of interest on Outstanding Mobilization advance from 31-05-2019 (sudden halting of works) till the date of settlement of payments as the works got suddenly halted due to policy decision of the then Government on the construction of Capital City.	1) As per Cl.56.4 of Gazetted Housing project, the MA shall bear an interest of prevailing SBI PLR+2% annum. The interest on the amounts paid as advance is chargeable form the date the amount is paid. However, if completion delayed by circumstances beyond the control of the contractor for which an extension has been granted by the Executive Engineer, the interest charges on such advances shall be waived for the period of extension. 2) As per Cl.19.9.1 of Package-8 of ADCL, In of the event of the failure of the Authority to make payment to the contractor within the time stated i.e, 30 days, the Authority shall be liable to pay

			the contractor interest at the rate+2% calculated base on quarterly rests on all sums remaining unpaid from the date on which the same should have been paid. 3) As per GCC 41.1 of Package:5 of ADCL, the employer shall pay the contractor the amounts certified by the project Manager within 60 days of the date of each certificate. The interest for delayed payment is 8% per annum. 4) As per the C123.6.2 (Termination) of Package:8 of ADCL the termination payment shall be 10% (Ten Percent) of the cost of the works and Maintenance that are not commenced or not completed. Based on the above conditions (1) to (4) above in various agreements of CRDA & ADCL, the TC opined that waiver of interest from 31-05-2019 till date of settlement on outstanding MA (Mobilization advance) as on 31-05-2019 is in favor of Government, in view of the reason that any of the agency will not be given any interest due to delayed payment during for the value of work done and hence the same was recommended by TC.
4	The Common views expressed by all the agencies is w.r.t release of differential percentage of GST (12%-5%=7%)	The technical committee examined and recommended for payment of GST differential percentage in accordance with GST clause in the Agreement and shall be released based on Certificate of Payment/Memo of Payment issued by CRDA/ADCL and duly complying with GOMs.No:58Fin (WR. I) Dept dt.08-05-2018 and GOMs.No:196Fin (FMU-WR. I) Dept., dt.23-09-2022. For determining the applicable GST percentage, the relevant date will be either the issuance	The difference of GST payment will be arrived as per the GOs issued by Finance Dept for those estimates which are in Pre-GST regime. GST law may be followed as per the opinion of Commercial Tax Department

5	Applicability of GST & Calculations thereof to release the GST difference to the agencies.	date of Certificate of Payment/Memo of Payment or the date of invoice from the agency whichever is later.	
6	Release of retention money.	The technical committee examine and recommended for release of all retention amounts like EMD, FSD in the form of Bank Guarantees or Cash available with APCRDA/ADCL subject to settlement of pending bills against the outstanding mobilization advance. For those agencies where there is no outstanding Mobilization advance but only pending bills, all the securities like EMD, FSD in the form of Bank Guarantees or Cash available with APCRDA/ADCL may be released.	-
7	Release of payments against designs.	The technical committee examined and recommended for release of payment to the designs to the extent of approved designs by the Department on a pro-rata basis and subject to submission of hard copies and model files/shape files in soft copies.	-
8	Release of payments against as built drawing components.	The technical committee examined and recommended for release payments against as built drawings component to the extent of work done only subject to submission of Hard copies and soft copies in editable format.	-
9	Release of payments for the work done but not considered for payment due to non-achievement of minimum specified percentage in Schedule-H (Payment schedule)	The technical committee examined and recommended for release of payment as per approved Stage wise Schedule of Payments for Components/ Sub-Components that are achieved. For any work where only partial stage(s) have been completed, the payment shall be arrived/ calculated in proportion to the approved stage wise payment percentage in Schedule-H of the relevant Component/Sub component of Schedule-H.	TC also recommends the same
10	Release of payments for quantities exceeding Schedule-H items.	The technical committee examined and recommended for payments based on the executed quantities which were recorded/to be recorded & certified/ to be certified duly taking the approval of the Competent Committee.	The deviations/ additional items in EPC contracts have to be dealt with in accordance with GO Ms.No.50 I&CAD(PW-Reforms) Dept dt.02-03-2009. The same shall be followed where ever applicable.
11	Release of payments for new items and	The technical committee examined and recommended for release of payment to	This is not an additional item but only a methodology for

	sizes not listed in the approved Schedule-H.	the nearest lower size available in approved Schedule-H	payment of a size which is not available in Schedule-H and if it is an additional item the same shall be in accordance with GO Ms.No.50 I&CAD(PW- Reforms) Dept. dt.02-03-2009.
12	Release of payments for precast items.	The technical committee examined and **not recommended** for payment to the precast items as the same were not executed in the field.	-
13	The procured pipes.	The technical committee examined and recommended for release of full payments for the pipes procured.	-
14	The site infrastructure development costs, overheads including electricity, watch and ward demobilization and recurring cost.	The technical committee examined and **not recommended** site infrastructure development costs, overheads including electricity, watch and ward, demobilization and recurring costs etc.	-
15	The financial impact due to pending bills, BG charges & Other overheads	The technical committee examined and **not recommended** the financial impact due to pending bills, BG charges & other overheads.	-
16	Equipment idling charges.	The technical committee examined and recommended subject to provision of the said item in the Bill of Quantities and on producing evidence of the same.	-
17	The defect liability Period	The technical committee examined and recommended that the onus of defect liability period shall be with the new agency which is going to execute the incomplete project.	-
18	Materials taken back by the department/Government (Sand)	The technical committee examined and recommended for reimbursement of the same by the concerned department which has taken the material from the respective agencies.	-
19	Material thefts that happened across the capital city.	The technical committee examined and **not to recommend** for any compensation for the loss of material i.e., constructed or from stock that has happened out of theft issues that occurred in the Capital city during the stalled period of works.	-
20	Release of payments for consumables like spacers, Bearings etc. procured for incorporation in the Work.	The technical committee examined and **not to recommend** for any payments for the consumables as sought by the agencies.	-

21	Not measured work.	The technical committee examined and recommended for recording the executed work by the present available staff subject to clearance from the QC wing of APCRDA/ADCL.	-
22	Materials (Pipes) taken away by the agencies for which payment was made by the APCRDA or ADCL.	The technical committee examined and recommended for the recovery of the cost of materials (pipes) taken away by the agency for which payment was made by CRDA or ADCL and the same shall be recovered and adjusted at the time of settlement of pending bills with the agencies by CRDA or ADCL as the case may be. The concerned Chief Engineer shall give a certificate to utilize the material in any other work(s) taken up under any schemes of Government of Andhra Pradesh.	-
23	Conclusion of MoU between the Agencies, CRDA/ADCL for settlement of Pending Bills & Other issues mentioned above.	The technical committee is of the view that settlement/adjustment of Pending Payments against outstanding mobilization advances and other related issues mentioned above shall be concluded/settled in line with the recommendations of the Technical Committee within a period of 120 days from the date of conclusion of MoU. The MoU shall be concluded by all the agencies involved with CRDA/ ADCL in the line with the recommendations of the Technical Committee after approval by the appropriate authority.	-

K. KANNA BABU
SECRETARY TO GOVERNMENT (FAC)